

# INFORMATION SHEET OF QUALIFICATIONS AND REQUIREMENTS

## UNITED STATES REPRESENTATIVE IN CONGRESS 48<sup>TH</sup> DISTRICT

### I. QUALIFICATIONS

- A. A candidate shall be at least 25 years of age, a U.S. citizen for seven years, and a resident of California when elected. There is no durational residency requirement for congressional candidates. U.S. Const., art. I, § 2

### II. REQUIREMENTS

#### A. Filing Fees

Every candidate must pay a filing fee equal to 1% of the first year salary. Currently the filing fee is \$1,621.00. This must be presented to the county elections official at the time the candidate obtains the nomination papers from the county elections official. §§ 8103, 8105

A candidate may choose to submit by **August 17, 2005**, petitions in lieu of filing fees containing a minimum of 3,000 signatures of registered voters residing in the district. § 8106

The 3,000 in-lieu signature requirement applies to candidates seeking the nomination of the Democratic and Republican parties, as well as independent candidates. Candidates seeking the nomination of the American Independent, Green, Libertarian, Natural Law, and Peace and Freedom parties may submit a petition containing, respectively, 150, 150, 150, 55, or 59 signatures of members of their own political party. § 8106(a)(6)

1. Petitions for in-lieu signatures may be obtained from the county elections official between August 15, 2005 and August 17, 2005.
2. The candidate may submit signatures to cover all or any prorated portion of the filing fee.
3. A registered voter may sign an in-lieu of filing fee petition for any candidate for whom he or she is eligible to vote.<sup>1</sup>

#### B. For Partisan Candidates Only

1. Obtain nomination documents from the county elections official of the candidate's county of residence between August 15, 2005 to August 22, 2005. Nomination

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<sup>1</sup> An exception exists if members of the American Independent, Green, Libertarian, Natural Law, or Peace and Freedom parties wish to use the §8106(a)(6) provisions. In the case of candidates wishing to use this provision, all signatures must be from their political party.

documents include nomination papers for collecting signatures and a Declaration of Candidacy that must be executed by the candidate. §§ 333, 10704

- a. The Declaration of Candidacy shall be obtained from, and delivered to, the county elections official of the candidate's county of residence. § 8064
  - b. The county elections official shall require all candidates filing a declaration of candidacy to execute the declaration in his or her office unless the candidate designates a third party to obtain the declaration form from the county elections official and to deliver it to the candidate. The written statement shall state that the candidate is aware that the declaration of candidacy must be properly executed and delivered not later than August 22, 2005 to the office of the county elections official from whom it was received. The statement must be signed and dated by the candidate. Any person may return the completed declaration of candidacy. § 8028
2. Gather between 40 and 60 signatures for filing the nomination paper. § 8062
- a. Signatures on the in-lieu filing fee petitions may satisfy this signature requirement if the signers are of the same party as the candidate. § 8061
  - b. All signers must be registered voters and members of the same political party as the candidate. § 8068
  - c. The candidate may appoint persons to circulate the nomination paper. Circulators shall be voters in the district or political subdivision in which the candidate is to be voted on and shall serve only in that district or political subdivision. § 8066
  - d. Each section of the nomination paper shall be delivered to the county elections official of the county in which the signer resides and is a voter. § 8063
  - e. Any candidate may obtain signatures to and sign his or her own nomination papers. § 106(a)

### **C. For Independent Candidates Only**

1. Circulate nomination papers for signatures in the congressional district between August 15, 2005 and August 22, 2005, and leave them for examination with the county elections official of the county in which the papers were circulated.
  - a. The nomination papers must be signed by voters in the district not less in number than 500 or 1% of the entire vote cast in the area at the preceding general election (3,113), whichever is fewer. § 8400
  - b. Any candidate may obtain signatures to and sign his or her own nomination papers. § 106(a)

- c. All signers must be eligible registered voters in the district or political subdivision in which the candidate is running at the time they sign the nomination papers. §§ 100, 8400
  - d. The candidate may appoint persons to circulate the nomination paper. Circulators shall be voters in the district or political subdivision in which the candidate is to be voted on and shall serve only in that district or political subdivision. § 8451
2. File with the county elections official, not later than August 22, 2005, a Declaration of Candidacy which states the following:
  - a. The candidate's residence address;
  - b. That the candidate is a voter in the precinct in which he or she resides;
  - c. The name of the office sought;
  - d. That he or she will not withdraw as a candidate before the election;
  - e. That if elected, he or she will qualify for the office; and
  - f. That the candidate is not, and was not at any time during the 3 months preceding the filing of the declaration of candidacy, registered as affiliated with a political party qualified under Section 5100. § 8550

#### **D. FOR WRITE-IN CANDIDATES ONLY**

1. Statement of Write-in Candidacy

Between August 15, 2005 and September 20, 2005 for the primary election and October 10, 2005 and November 22, 2005 for the general election, file a Statement of Write-In Candidacy. The Statement of Write-In Candidacy shall contain the following information:

  - candidate's name;
  - candidate's complete residence address;
  - a declaration stating that the candidate is a write-in candidate;
  - the name of the office for which the candidate is running; and
  - the party nomination which the candidate seeks, if running in a primary election (a candidate need not be registered with the party whose nomination he/she is seeking);
  - the date of the election. § 8600
2. In order to be nominated at the primary election, the write-in candidate must receive more votes than any other candidate running for that party's nomination, and must also receive votes equal to at least 1% of all votes cast for that office at the last preceding general election at which the office was filled (2,909).

## GENERAL INFORMATION

- A. Each of the forms mentioned above is available free of charge from the county elections official.
- B. California has 53 members of the House of Representatives elected for two-year terms. This election is for the remainder of the two-year term which ends January 3, 2007.

This publication is for general information only and does not have the force and effect of law, regulation, or rule. In case of conflict, the law, regulation, or rule will apply. The candidate should obtain the most up-to-date information available because of possible changes in law or procedure since the publication of this information

## SPECIAL ELECTION CONGRESSIONAL DISTRICT 48

### SIGNATURE-IN-LIEU-OF-FILING-FEE REQUIREMENTS

<u>Signature</u>	<u>Filing Fee</u>	Signatures in Lieu of the <u>Filing Fee</u>	Value of Each <u>Signature</u>
Democratic	\$1,621.00	3,000	\$0.54033
Republican	\$1,621.00	3,000	\$0.54033
American Independent	\$1,621.00	150*	\$10.80667
Green	\$1,621.00	150*	\$10.80667
Libertarian	\$1,621.00	150*	\$10.80667
Natural Law	\$1,621.00	55*	\$29.47273
Peace and Freedom	\$1,621.00	59*	\$27.47458

### NOMINATION SIGNATURE REQUIREMENTS FOR INDEPENDENT CANDIDATES

Vote last cast for office (November 2, 2004)	290,872
Nomination signatures required	500

### WRITE-IN VOTES REQUIRED FOR NOMINATION At the special primary election

Vote last cast for office (November 2, 2004)	290,872
Write in votes required for nomination	2,909

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\* Must be registered to vote as affiliated with the same party as the candidate.